

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/863,816
Applicant: : LaColla *et al.*
Filed : May 23, 2001
TC/A.U. : 1623
Examiner : Traviss C. McIntosh

Docket No. : 06171.105027 (IDX 1006 US)
Customer No. : 20786

Confirmation No. 8968

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

October 31, 2003

Terminal Disclaimer

Sir:

Assignees, Idenix Pharmaceuticals Inc. and the Università Degli Studi Di Cagliari, the owners of the entire interest of U.S. Serial Nos. 09/863,816 and 09/864,078, through the undersigned agent of record, hereby disclaim the terminal part of any patent granted on U.S. Serial No. 09/863,816 that would extend beyond the expiration date of the full statutory term of U.S. Serial No. 09/864,078. Any patent granted on U.S. Serial No. 09/863,816 shall be enforceable only for and during such period that legal title to the patent that issues from U.S. Serial No. 09/863,816 shall be the same as legal title to the patent that issues from U.S. Serial No. 09/864,078 and will be binding upon the grantee, its successors or assigns.

Jean Pierre Sommadossi has assigned U.S. Serial Nos. 09/863,816 and 09/864,078 to Novirio Pharmaceuticals Limited, while Paola LaColla has assigned U.S. Serial Nos. 09/863,816 and 09/864,078 to the Università Degli Studi Di Cagliari, whose addresses are of record, in an Assignment recorded on September 13, 2001, at Reel 012162, Frame 0294. Novirio

01/15/2004 NVILLARI 00000006 110980 09863816

01 FC:1814 110.00 DA

Pharmaceuticals Limited changed its name to Idenix Pharmaceuticals Inc., which was recorded on August 19, 2002, at Reel 013193, Frame 0841. Please also note that Idenix Pharmaceuticals, Inc., which was first formed and incorporated in the jurisdiction of the Cayman Islands, has now accepted domestication pursuant to Section 388 of the General Corporation Law of the State of Delaware, the United States of America. The Certification of Domestication Incorporation in Delaware was recorded on February 6, 2003, at Reel 013718, Frame 0543.

Assignees do not disclaim any terminal part of any patent granted on U.S. Serial No. 09/863,816 prior to the expiration date of the full statutory term of U.S. Serial No. 09/864,078 in the event that such patent later: a) expires for failure to pay a maintenance fee, b) is held unenforceable, c) is found invalid, d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), e) has all claims canceled by a reexamination certificate, or f) is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

Please charge the \$110.00 fee for filing this Terminal Disclaimer, as well as any other fees required, to Deposit Account No. 11-0980.

Respectfully submitted,

Sherry Knowles / *integrated
permissions
Sherry V3
47,158*

Sherry M. Knowles, Esq.
Reg. No. 33,052

Date: October 31, 2003

KING & SPALDING
191 Peachtree Street
Atlanta, GA 30303
404-572-3541 (Direct Line)
404-572-5145 (Facsimile)